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EXAMINER

SERRAO, RANODHI N

ART UNIT PAPER NUMBER

2141

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,100

Applicant(s)

CHANDRA, ROHIT

Examiner

Ranodhi Serrao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/21/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "3 and 5" have been used to designate several items in figure 1. And because reference character "4" has been used to designate several items in figure 9. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 12, 14, 28, 38, 40, 42, 43, 47, and 48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Regarding claims 1, 12, 14, 28, 38, 40, 42, 43, 47, and 48, the terms "substantially" and "relative" render the claim(s) indefinite because the claim(s)

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include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35.U.S.C. § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 42 and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Vo (2003/0229692).

7. As per claims 1 and 47, Vo teaches a system for determining popularity of web pages on a network (paragraphs 0025 and 0027), the system comprising: a plurality of monitoring devices placed in the network, the monitoring devices monitoring packets traversing the network and extracting information on the packets (paragraph 0023); and a processing module coupled to the monitoring devices and receiving the extracted information from the monitoring devices, the processing module analyzing the extracted information (paragraph 0024) and determining the popularity of the web pages based upon the extracted information (paragraph 0033), the popularity of the web pages being substantially proportionate to number of visits to the web pages as indicated by the extracted information (paragraph 0037).

8. As per claim 2, Vo teaches a system, wherein the monitoring devices are placed in locations where aggregate packet traffic may be monitored (paragraph 0025).

9. As per claim 3, Vo teaches a system, wherein the monitoring devices are placed at a traversal point for complete activity between a client device and a server on the network (paragraph 0025).

10. As per claim 42, Vo teaches a system for determining popularity of web pages, the system comprising: a plurality of monitoring means placed in a network for monitoring packets traversing the network and extracting information on the packets (paragraph 0023); and a processing means coupled to the monitoring means for receiving the extracted information from the monitoring device, analyzing the extracted information (paragraph 0024), and determining the popularity of the web pages based upon the extracted information (paragraph 0033), the popularity of the web pages being substantially proportionate to number of visits to the web pages (paragraph 0037).

11. Claim 38 is rejected under 35 U.S.C. 102(e) as being anticipated by Bharat (6,526,440). Bharat teaches a method for ranking Internet search results based upon popularity of web pages, the method comprising: receiving a search term; performing search of web pages on the Internet based upon the received search term; retrieving a plurality of web pages containing the search term (col. 3, lines 3-18); and ranking the web pages at least in part based upon the popularity of the retrieved web pages, the popularity of the retrieved web pages being substantially proportionate to number of visits to the web pages (col. 3, 29-53).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 4-6, 8, 31-33, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692) as applied to claim 1 above, and further in view of U.S. PGPUB No. 2002/0087679 to Pulley et al. ("Pull").

14. As per claims 4 and 31, Vo teaches the mentioned limitations of claims 1 and 28 above, but fails to teach a system, wherein the monitoring devices extract the information from packets in a TCP session, and the extracted information includes: a requested URI or URL; a client IP address; and a server IP address and a server host name. However, Pull teaches a system, wherein the monitoring devices extract the information from packets in a TCP session (see Pull, paragraph 0075), and the extracted information includes: a requested URI or URL (see Pull, paragraph 0098); a client IP address (see Pull, paragraph 0029); and a server IP address and a server host name (paragraph 0158). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the monitoring devices extract the information from packets in a TCP session, and the extracted information includes: a requested URI or URL; a client IP address; and a server IP address and a server host name in order to provide systems and methods for aggregating website

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activity data from a plurality of users in real-time or near real-time (see Pull, paragraph 0015).

15. As per claims 5, 32, and 46 Vo and Pull teach the mentioned limitations of claims 1, 4, 28, 31, and 44 above, but Vo fails to teach a system, wherein the extracted information further includes a referrer URL. However, Pull teaches a system, wherein the extracted information further includes a referrer URL (see Pull, paragraph 0098). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the extracted information further includes a referrer URL in order to provide systems and methods for aggregating website activity data from a plurality of users in real-time or near real-time (see Pull, paragraph 0015).

16. As per claim 6, Vo and Pull teach the mentioned limitations of claims 1 and 4 above, but Vo fails to teach a system, wherein the monitoring devices analyzes the packets relating to GET Requests in the TCP session to extract the information. However, Pull teaches a system, wherein the monitoring devices analyzes the packets relating to GET Requests in the TCP session to extract the information (see Pull, paragraphs 0166 and 0173). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the monitoring devices analyzes the packets relating to GET Requests in the TCP session to extract the information in order to provide systems and methods for aggregating website activity data from a plurality of users in real-time or near real-time (see Pull, paragraph 0015).

17. As per claims 8 and 33, Vo teaches the mentioned limitations of claims 1, 28, and 31 above, but fails to teach a system, wherein the processing module maintains a

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counter corresponding to a URL and increments a count of the counter, if the extracted information indicates that the web page corresponding to the URL was visited, the count indicating the number of visits to the web page. However, Pull teaches a system, wherein the processing module maintains a counter corresponding to a URL and increments a count of the counter, if the extracted information indicates that the web page corresponding to the URL was visited, the count indicating the number of visits to the web page (see Pull, paragraph 0111). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the processing module maintains a counter corresponding to a URL and increments a count of the counter, if the extracted information indicates that the web page corresponding to the URL was visited, the count indicating the number of visits to the web page in order to allow comparisons of the real-time and/or near-real-time data to the historical data recorded in the website activity logs to be performed (see Pull, paragraph 0024).

18. As per claim 44, Vo teaches a method for determining popularity of links from a first web page to a plurality of second web pages on a network, the method comprising: receiving TCP packets traversing the links (see Vo, paragraphs 0025-0027); and determining popularity of the links based upon the extracted information, the popularity of each of the links being substantially proportionate to member of times each of the links is traversed (see Vo, paragraphs 0030 and 0037). But fails to teach extracting information on' a TCP session comprised of the received TCP packets. However, Pull teaches extracting information on' a TCP session comprised of the received TCP packets (see Pull, paragraph 0065). It would have been obvious to one having ordinary

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skill in the art at the time of the invention to modify Vo to extracting information on' a TCP session comprised of the received TCP packets in order to allow comparisons of the real-time and/or near-real-time data to the historical data recorded in the website activity logs to be performed (see Pull, paragraph 0024).

19. Claims 9 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo and Pull as applied to claims 1, 28, 31 and 33 and further in view of U.S. Patent No. 6,879,994 to Matsliach et al. ("Mat"). Vo teaches the mentioned limitations of claim 1 above, but fails to teach a system, wherein the processing module maintains a plurality of counters corresponding to a URL and increments a count of one of the counters, if the extracted information indicates that the web page corresponding to the URL was visited by a client device located in a geographical location corresponding to the counter of which the count was incremented, the count indicating the member of visits to the web page by client devices in the corresponding geographical location. However, Mat teaches a system, wherein the processing module maintains a plurality of counters corresponding to a URL and increments a count of one of the counters, if the extracted information indicates that the web page corresponding to the URL was visited by a client device located in a geographical location corresponding to the counter of which the count was incremented, the count indicating the member of visits to the web page by client devices in the corresponding geographical location (see Mat, col. 16, lines 16-35). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mat to a system, wherein the processing module maintains a

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plurality of counters corresponding to a URL and increments a count of one of the counters, if the extracted information indicates that the web page corresponding to the URL was visited by a client device located in a geographical location corresponding to the counter of which the count was incremented, the count indicating the member of visits to the web page by client devices in the corresponding geographical location in order to compile site usage information to determine popular "surf" patterns originating from a particular page. The patterns can be used to identify the most popular next destination(s) for users, further focused according to demographic information (see Mat, col. 5, lines 11-15).

20. Claims 10 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo and Pull and Matsliach et al. (6,879,994) as applied to claims 1, 9, 28, 31, and 33, and further in view of U.S. PGPUB No. 2002/0087679 to Pulley et al. ("Pull"). Vo and Mat teach the mentioned limitations of claims 1 and 9 above, but fail to teach a system, wherein the processing module increments the count only if the extracted information indicates that the web page was visited by the client device having a distinct IP address. However, Pull teaches a system, wherein the processing module increments the count only if the extracted information indicates that the web page was visited by the client device having a distinct IP address (see Pull, paragraph 0098). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Mat to a system, wherein the processing module increments the count only if the extracted information indicates that the web page was visited by the

client device having a distinct IP address in order to allow an user of the website activity monitoring systems to see how in-site up-sell and side-sell banner ads drive visitors to the website to place more things into the visitors' shopping baskets, so that locations where changes or additions might be fruitful can be identified (see Pull, paragraph 0054).

21. Claims 7, 11, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692) and Matsliach et al. (6,879,994) as applied to claims 1 and 9 above, and further in view of Sehm et al. (2005/0021731).

22. As per claims 7 and 37, Vo and Pull teaches the mentioned limitations of claims 1 and 28, but fails to teach a system, wherein the monitoring devices discard packets relating to invalid URLs, invalid GET Requests, requests from a web crawler, or auto-refreshment of previous TCP sessions in extracting the information. However, Sehm et al. teaches a system, wherein the monitoring devices discard packets relating to invalid URLs, invalid GET Requests, requests from a web crawler, or auto-refreshment of previous TCP sessions in extracting the information (see Sehm et al., paragraph 0060).

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the monitoring devices discard packets relating to invalid URLs, invalid GET Requests, requests from a web crawler, or auto-refreshment of previous TCP sessions in extracting the information so that when the user visits the website again, he/she is again included in the 2-5 visits counter etc. instead of the 1st counter (see Sehm et al., paragraph 0062).

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23. As per claims 11 and 36, Vo, Pull, and Mat teach the mentioned limitations of claims 1, 9, 28, 31, and 33 above, but fail to teach a system, wherein the processing module does not increment the count if the extracted information indicates that the packets were automatically and repeatedly generated by a computer. However, Sehm et al. teaches a system, wherein the processing module does not increment the count if the extracted information indicates that the packets were automatically and repeatedly generated by a computer (see Sehm et al, paragraph 0064). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Mat to a system, wherein the processing module does not increment the count if the extracted information indicates that the packets were automatically and repeatedly generated by a computer in order so that when the user visits the website again, he/she is again included in the 2-5 visits counter etc. instead of the 1st counter (see Sehm et al., paragraph 0062).

24. Claims 12-17, 39-41, 43, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692) and Bharat (6,526,440).

25. As per claims 12, 43, and 48, Vo teaches a search system for ranking Internet search results based upon popularity of web pages on a network, the search system comprising: a plurality of monitoring devices placed in the network, the monitoring devices monitoring packets traversing the network and extracting information on the packets (see Vo, paragraph 0023); a processing module coupled to the monitoring devices and receiving the extracted information from the monitoring devices, the

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processing module analyzing the extracted information (see Vo, paragraph 0024) and determining the popularity of the web pages based upon the extracted information (see Vo, paragraph 0033), the popularity of the web pages being substantially proportionate to number of visits to the web pages as indicated by the extracted information (see Vo, paragraph 0037). But fails to teach a search engine for receiving search terms and retrieving web pages containing the search terms, the search engine ranking the web pages at least in part based upon the popularity of the retrieved web pages. However, Bharat teaches a search engine for receiving search terms and retrieving web pages containing the search terms, the search engine ranking the web pages at least in part based upon the popularity of the retrieved web pages (see Bharat, col. 3, lines 29-53). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a search engine for receiving search terms and retrieving web pages containing the search terms, the search engine ranking the web pages at least in part based upon the popularity of the retrieved web pages in order to increase the relevancy and quality of the web pages returned to the user (see Bharat, col. 1, lines 29-52).

26. As per claims 13 and 39, Vo and Bharat teach the mentioned limitations of claims 12 and 38 above, but Vo fails to teach a search system, wherein the search engine ranks the retrieved web pages based upon the content of the web pages and the hyperlink structure linking the web pages as well as the popularity of the retrieved web pages. However Bharat teaches a search system, wherein the search engine ranks the retrieved web pages based upon the content of the web pages and the hyperlink

structure linking the web pages as well as the popularity of the retrieved web pages (see Bharat, col. 3, lines 3-18 and col. 4, lines 13-24). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a search system, wherein the search engine ranks the retrieved web pages based upon the content of the web pages and the hyperlink structure linking the web pages as well as the popularity of the retrieved web pages in order to increase the relevancy and quality of the web pages returned to the user (see Bharat, col. 1, lines 29-52).

27. As per claims 14, 40, and 45, Vo and Bharat teach the mentioned limitations of claims 12, 38, and 44 above, but Vo fails to teach a search system, wherein the search engine propagates a score of a first web page to a plurality of second web pages to which the first web page is linked substantially in relative proportion to the popularity of links from the first web page to each of the second web pages. However, Bharat teaches a search system, wherein the search engine propagates a score of a first web page to a plurality of second web pages to which the first web page is linked substantially in relative proportion to the popularity of links from the first web page to each of the second web pages (see Bharat, col. 3, line 57-col. 4, line 9). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a search system, wherein the search engine propagates a score of a first web page to a plurality of second web pages to which the first web page is linked substantially in relative proportion to the popularity of links from the first web page to each of the second web pages in order to increase the relevancy and quality of the web pages returned to the user (see Bharat, col. 1, lines 29-52).

28. As per claims 15 and 41, Vo and Bharat teach the mentioned limitations of claims 12 and 38 above, but Vo fails to teach a search system, wherein the search engine ranks a first retrieved web page in higher priority than a second retrieved web page if the popularity of the first web page is greater than the popularity of the second web page. However, Bharat teaches a search system, wherein the search engine ranks a first retrieved web page in higher priority than a second retrieved web page if the popularity of the first web page is greater than the popularity of the second web page (see Bharat, col. 3, line 57-col. 4, line 9). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a search system, wherein the search engine ranks a first retrieved web page in higher priority than a second retrieved web page if the popularity of the first web page is greater than the popularity of the second web page in order to increase the relevancy and quality of the web pages returned to the user (see Bharat, col. 1, lines 29-52).

29. As per claims 16 and 17, the above-mentioned motivation of claim 12 applies fully in order to combine Vo and Bharat.

30. As per claim 16, Vo and Bharat teach a search system, wherein the monitoring devices are placed in locations where aggregate packet traffic may be monitored (see Vo, paragraph 0025).

31. As per claim 17, Vo and Bharat teach a search system, wherein the monitoring devices are placed at a traversal point for complete bi-directional activity between a client device and a server on the network (see Vo, paragraph 0025).

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32. Claims 18-20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692) and Bharat (6,526,440) as applied to claim 12 above, and further in view of U.S. PGPUB No. 2002/0087679 to Pulley et al. ("Pull").

33. As per claim 18, Vo and Bharat teach the mentioned limitations of claim 12 above, but fail to teach a search system, wherein the monitoring devices extract the information from packets in a TCP session, and the extracted information includes: a requested URI or URL; a client IP address; and a server IP address and a server host name. However, Pull teaches a system, wherein the monitoring devices extract the information from packets in a TCP session (see Pull, paragraph 0075), and the extracted information includes: a requested URI or URL (see Pull, paragraph 0098); a client IP address (see Pull, paragraph 0029); and a server IP address and a server host name (paragraph 0158). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the monitoring devices extract the information from packets in a TCP session, and the extracted information includes: a requested URI or URL; a client IP address; and a server IP address and a server host name in order to provide systems and methods for aggregating website activity data from a plurality of users in real-time or near real-time (see Pull, paragraph 0015).

34. As per claim 19, Vo, Bharat, and Pull teach the mentioned limitations of claims 12 and 18 above, but Vo and Bharat fail to teach a system, wherein the extracted information further includes a referrer URL. However, Pull teaches a system, wherein the extracted information further includes a referrer URL (see Pull, paragraph 0098). It

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would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the extracted information further includes a referrer URL in order to provide systems and methods for aggregating website activity data from a plurality of users in real-time or near real-time (see Pull, paragraph 0015).

35. As per claim 20, Vo, Bharat, and Pull teach the mentioned limitations of claims 12 and 18 above, but Vo and Bharat fail to teach a system, wherein the monitoring devices analyzes the packets relating to GET Requests in the TCP session to extract the information. However, Pull teaches a system, wherein the monitoring devices analyzes the packets relating to GET Requests in the TCP session to extract the information (see Pull, paragraphs 0166 and 0173). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the monitoring devices analyzes the packets relating to GET Requests in the TCP session to extract the information in order to provide systems and methods for aggregating website activity data from a plurality of users in real-time or near real-time (see Pull, paragraph 0015).

36. As per claim 22, Vo teaches the mentioned limitations of claim 12 above, but fails to teach a system, wherein the processing module maintains a counter corresponding to a URL and increments a count of the counter, if the extracted information indicates that the web page corresponding to the URL was visited, the count indicating the number of visits to the web page. However, Pull teaches a system, wherein the processing module maintains a counter corresponding to a URL and increments a count of the counter, if the extracted information indicates that the web page corresponding to the URL was

visited, the count indicating the number of visits to the web page (see Pull, paragraph 0111). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the processing module maintains a counter corresponding to a URL and increments a count of the counter, if the extracted information indicates that the web page corresponding to the URL was visited, the count indicating the number of visits to the web page in order to allow comparisons of the real-time and/or near-real-time data to the historical data recorded in the website activity logs to be performed (see Pull, paragraph 0024).

37. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692) and Bharat (6,526,440) as applied to claim 12 above, and further in view of U.S. Patent No. 6,879,994 to Matsliach et al. ("Mat"). Vo teaches the mentioned limitations of claim 12 above, but fails to teach a system, wherein the processing module maintains a plurality of counters corresponding to a URL and increments a count of one of the counters, if the extracted information indicates that the web page corresponding to the URL was visited by a client device located in a geographical location corresponding to the counter of which the count was incremented, the count indicating the member of visits to the web page by client devices in the corresponding geographical location. However, Mat teaches a system, wherein the processing module maintains a plurality of counters corresponding to a URL and increments a count of one of the counters, if the extracted information indicates that the web page corresponding to the URL was visited by a client device located in a geographical location

corresponding to the counter of which the count was incremented, the count indicating the member of visits to the web page by client devices in the corresponding geographical location (see Mat, col. 16, lines 16-35). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Mat to a system, wherein the processing module maintains a plurality of counters corresponding to a URL and increments a count of one of the counters, if the extracted information indicates that the web page corresponding to the URL was visited by a client device located in a geographical location corresponding to the counter of which the count was incremented, the count indicating the member of visits to the web page by client devices in the corresponding geographical location in order to compile site usage information to determine popular "surf" patterns originating from a particular page. The patterns can be used to identify the most popular next destination(s) for users, further focused according to demographic information (see Mat, col. 5, lines 11-15).

38. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692), Bharat (6,526,440), and Matsliach et al. (6,879,994) as applied to claims 12 and 23 above, and further in view of U.S. PGPUB No. 2002/0087679 to Pulley et al. ("Pull"). Vo and Mat teach the mentioned limitations of claims 1 and 9 above, but fail to teach a system, wherein the processing module increments the count only if the extracted information indicates that the web page was visited by the client device having a distinct IP address. However, Pull teaches a system, wherein the processing module increments the count only if the extracted information indicates that

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the web page was visited by the client device having a distinct IP address (see Pull, paragraph 0098). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Mat to a system, wherein the processing module increments the count only if the extracted information indicates that the web page was visited by the client device having a distinct IP address in order to allow an user of the website activity monitoring systems to see how in-site up-sell and side-sell banner ads drive visitors to the website to place more things into the visitors' shopping baskets, so that locations where changes or additions might be fruitful can be identified (see Pull, paragraph 0054).

39. Claims 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo (2003/0229692), Bharat (6,526,440) and Matsliach et al. (6,879,994) as applied to claims 12 and 23 above, and further in view of Sehm et al. (2005/0021731).

40. As per claim 21, Vo teaches the mentioned limitations of claim 12 above, but fails to teach a system, wherein the monitoring devices discard packets relating to invalid URLs, invalid GET Requests, requests from a web crawler, or auto-refreshment of previous TCP sessions in extracting the information. However, Sehm et al. teaches a system, wherein the monitoring devices discard packets relating to invalid URLs, invalid GET Requests, requests from a web crawler, or auto-refreshment of previous TCP sessions in extracting the information (see Sehm et al., paragraph 0060). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a system, wherein the monitoring devices discard packets relating to invalid

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URLs, invalid GET Requests, requests from a web crawler, or auto-refreshment of previous TCP sessions in extracting the information so that when the user visits the website again, he/she is again included in the 2-5 visits counter etc. instead of the 1st counter (see Sehm et al., paragraph 0062).

41. As per claim 25, Vo and Mat teach the mentioned limitations of claims 12 and 23 above, but fail to teach a system, wherein the processing module does not increment the count if the extracted information indicates that the packets were automatically and repeatedly generated by a computer. However, Sehm et al. teaches a system, wherein the processing module does not increment the count if the extracted information indicates that the packets were automatically and repeatedly generated by a computer (see Sehm et al, paragraph 0064). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Mat to a system, wherein the processing module does not increment the count if the extracted information indicates that the packets were automatically and repeatedly generated by a computer in order so that when the user visits the website again, he/she is again included in the 2-5 visits counter etc. instead of the 1st counter (see Sehm et al., paragraph 0062).

42. Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo and Bharat as applied to claim 12 above, and further in view of McKeeth (2003/0105744).

43. As per claim 26, Vo and Bharat teach the mentioned limitations of claim 12 above, but fail to teach a search system, wherein the monitoring devices detect

requests to stale web pages. However, McKeeth teaches a search system, wherein the monitoring devices detect requests to stale web pages (see McKeeth, paragraph 0011). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Bharat to a search system, wherein the monitoring devices detect requests to stale web pages in order to improve the freshness of the contents of the database (see McKeeth, paragraph 0011).

44. As per claim 27, Vo and Bharat teach the mentioned limitations of claim 12 above, but fail to teach a search system, wherein the monitoring devices detect pages unknown to the search engine. However, McKeeth teaches a search system, wherein the monitoring devices detect pages unknown to the search engine (see McKeeth, paragraph 0011). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Bharat to a search system, wherein the monitoring devices detect pages unknown to the search engine in order to improve the freshness of the contents of the database (see McKeeth, paragraph 0011).

45. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vo and Pull. Vo teaches a method for determining popularity of web pages on a network, the method comprising: receiving a TCP packet traversing the network (see Vo, paragraphs 0025 and 0027); the extracted information indicating the popularity of the web pages (see Vo, paragraph 0030), and the popularity of the web pages being substantially proportionate to number of visits to the web pages as indicated by the extracted information (see Vo, paragraph 0037). But fails to teach a method of determining from

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the received TCP packet whether a TCP session has started; and responsive to determining that a TCP session has started, extracting information on the TCP session from subsequent TCP packets traversing the network. However, Pull teaches a method of determining from the received TCP packet whether a TCP session has started; and responsive to determining that a TCP session has started, extracting information on the TCP session from subsequent TCP packets traversing the network (see Pull, paragraph 0065). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo to a method of determining from the received TCP packet whether a TCP session has started; and responsive to determining that a TCP session has started, extracting information on the TCP session from subsequent TCP packets traversing the network in order to provide systems and methods that allow website activity to be monitored in real-time or near real-time (see Pull, paragraph 0014).

46. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vo and Pull as applied to claim 28 above, and further in view of Slane (6,279,140). Vo and Pull teach the mentioned limitations of claim 28 above, but fail to teach a method, wherein receiving a TCP packet comprises retrieving packets having a protocol field value of 6. However, Slane teaches a method, wherein receiving a TCP packet comprises retrieving packets having a protocol field value of 6 (see Slane, col. 10, lines 13-28). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Pull to a method, wherein receiving a TCP packet comprises retrieving packets having a protocol field value of 6 in order to provide an improved

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method and apparatus for checksum verification with receive packet processing for data communications (see Slane, col. 57-65).

47. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vo and Pull as applied to claim 28 above, and further in view of Klinker et al. (2002/0145981). Vo and Pull teach the mentioned limitations of claim 28 above, but fail to teach a method, wherein determining whether a TCP session has started comprises determining whether the received TCP packet is a SYN packet and has a destination port number of 80. However, Klinker et al. teaches a method, wherein determining whether a TCP session has started comprises determining whether the received TCP packet is a SYN packet and has a destination port number of 80 (see Klinker et al., paragraph 0067). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Vo and Pull to a method, wherein determining whether a TCP session has started comprises determining whether the received TCP packet is a SYN packet and has a destination port number of 80 in order to bypass restrictive firewall filters (see Klinker et al., paragraph 0066).


Conclusion

48. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references are disclosed in the Notice of References Cited and teach numerous other ways of implementing network traffic monitoring for search popularity analysis, thus a close review of them is suggested.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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